

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
February 1, 2004
Tribal Court Room 7500 Odawa Circle
Smudging 9:15 a.m.
9:30 a.m.

Executive Session: yes

Call to Order: Meeting was called to order at 9:47a.m.

Council Present: Tribal Chairman Frank Ettawageshik, Vice-Chairperson Beatrice A. Law, Secretary Dexter McNamara, Treasurer Alice Yellowbank, Councilor Rita Shananaquet, Councilor Fred Harrington, Jr., Councilor Regina Gasco Bentley

Legal Staff Present: Allie Greenleaf Maldonado, General Counsel

Staff Present: See Attached list

Guests: See attached list

Opening Ceremony: Treasurer Alice Yellowbank

Motion made by Vice-Chairperson Beatrice A. Law and supported by Secretary Dexter McNamara to adopt the agenda as amended.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

Motion made by Councilor Fred Harrington, Jr., and supported by Vice-Chairperson Beatrice A. Law to adopt the corrected minutes of January 18, 2004.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

Motion made by Vice-Chairperson Beatrice A. Law and supported by Councilor Rita Shananaquet to accept the Treasurer's report provided by Val Tweedie, Chief Financial Officer for February 1, 2004.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

Motion made by Vice-Chairperson Beatrice A. Law and supported by Treasurer Alice Yellowbank to accept the Tribal Administrator's report for February 1, 2004.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

Motion made by Councilor Fred Harrington, Jr., and supported by Councilor Regina Gasco Bentley to approve the Amended Administration Building Commons Area Event Policy as proposed by the Tribal Administrator.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

Motion made by Vice-Chairperson Beatrice A. Law and supported by Treasurer Alice Yellowbank to adopt resolution #020104-01 Authorizing Submission of a Grant Application to the "Year 2004 Strong Families/Safe Children Mini-Grant" funded by the Human Services Coordinating Body of Charlevoix and Emmet County.

Roll call: Tribal Chairman Frank Ettawageshik-yes, Vice-Chairperson Beatrice A. Law-yes, Treasurer Alice Yellowbank-yes, Secretary Dexter McNamara-yes, Councilor Rita Shananaquet-no, Councilor Fred Harrington, Jr.-yes, Councilor Regina Gasco Bentley-yes

Motion Carried

Motion made by Vice-Chairperson Beatrice A. Law and supported by Treasurer Alice Yellowbank approving Harbor Springs Excavating to demolish the barn structure on Cemetery Rd., Victories Casino II site for the amount not to exceed \$4,568 to come from the General Fund-Capital Improvements, and to authorize the Chairman to sign the contract.

Vote: 6 Yes, 1 No (Councilor Rita Shananaquet), 0 Absent, 0 Abstained

Motion Carried

10:58 p.m. recess called

11:09 p.m. meeting reconvened

Motion made by Vice-Chairperson Beatrice A. Law and supported by Secretary Dexter McNamara to accept the Tribal Chairman's verbal and written report for February 1, 2004.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

Motion made by Secretary Dexter McNamara and supported by Vice-Chairperson Beatrice A. Law to address Commissions, Boards and Committees to develop in writing a questionnaire that would consist of 10 to 20 questions, which could be used by Tribal Council when interviewing for appointed positions. This questionnaire would justify adequate concerns.

Vote: 6 Yes, 1 No (Councilor Rita Shananaquet), 0 Absent, 0 Abstained

Motion Carried

11:51 a.m. Public Comment opened, no public comment

11:51 a.m. Public Comment closed

12:06 p.m. Lunch recess called until 1:30 p.m.

1:45 p.m. Meeting reconvened

Motion made by Councilor Fred Harrington, Jr., and supported by Vice-Chairperson Beatrice A. Law to accept the verbal report from the Legal Department.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

Motion made by Vice-Chairperson Beatrice A. Law and supported by Treasurer Alice Yellowbank to renew the Assistant General Counsel contract dated January 1, 2004 to expire on December 31, 2008 per the provisions of the contract and to authorize the Tribal Chairman to sign.

Vote: 3 Yes, 4 No (Councilor Fred Harrington, Jr., Councilor Regina Gasco Bentley, Councilor Rita Shananaquet, Secretary Dexter McNamara), 0 Absent, 0 Abstained

Motion Failed

Motion made by Vice-Chairperson Beatrice A. Law and supported by Treasurer Alice Yellowbank to put on the Legislative Agenda the Act Prohibiting the Patenting of Organisms.

2:46 p.m. Councilor Rita Shananaquet leaves

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion Carried

2:48 p.m. Councilor Rita Shananaquet returns

Motion made by Vice-Chairperson Beatrice A. Law and supported by Councilor Fred Harrington, Jr., to donate \$5,000 to the Ogichidaa Award Foundation, Inc., to come from Tribal Donations line item.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

Motion made by Councilor Rita Shananaquet and supported by Councilor Fred Harrington, Jr., to donate \$5,000 to the Indian River Skate Park in Cooperation Park.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

Motion made by Vice-Chairperson Beatrice A. Law and supported by Councilor Fred Harrington, Jr., that we donate \$3,000 to People to People Student Ambassador Programs for Nicholas von der Lippe Little Traverse Bay Bands of Odawa Indians, Tribal Member.

Vote: 6 Yes, 1 No (Councilor Rita Shananaquet), 0 Absent, 0 Abstained

Motion Carried

3:08 p.m. Recess called

3:24 p.m. Meeting reconvened

Motion made by Councilor Fred Harrington, Jr., and supported by Treasurer Alice Yellowbank to adopt Resolution #020104-02 Request for Funding from the U.S. Environmental Protection Agency Clean Air Act, Section 103 Program.

Roll call: Tribal Chairman Frank Ettawageshik-yes, Vice-Chairperson Beatrice A. Law-yes, Treasurer Alice Yellowbank-yes, Secretary Dexter McNamara-yes, Councilor Rita Shananaquet-yes, Councilor Fred Harrington, Jr.-yes, Councilor Regina Gasco Bentley-yes

Motion Carried

3:47 p.m. Councilor Rita Shananaquet leaves
3:53 p.m. Councilor Rita Shananaquet returns

4:04 p.m. Public Comment: Andrew Stich, Shirley Oldman, Doug Craven
4:09 p.m. Public Comment closed.

Motion made by Councilor Fred Harrington, Jr., and supported by Treasurer Alice Yellowbank to approve a 75-day leave of absence from the Gaming Administration, for William Denemy, beginning January 24, 2004.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained

Motion Carried

Motion made by Councilor Fred Harrington, Jr., and supported by Treasurer Alice Yellowbank to adopt Resolution #020104-03 Request for Funding from the Institute of Museum and Library Services 2004 Basic Library Services Grant.

Roll call: Tribal Chairman Frank Ettawageshik-yes, Vice-Chairperson Beatrice A. Law-yes, Treasurer Alice Yellowbank-yes, Secretary Dexter McNamara-yes, Councilor Rita Shananaquet-no, Councilor Fred Harrington, Jr.-yes, Councilor Regina Gasco Bentley-yes

Motion Carried

Motion made by Councilor Fred Harrington, Jr., and supported by Treasurer Alice Yellowbank to adopt Resolution #020104-04 Request for Funding from the U.S. Department of Justice, Office on Violence Against Women: Fiscal Year 2004 S*T*O*P Violence Against Indian Women Discretionary Grant Program.

4:26 p.m. Councilor Rita Shananaquet leaves

Roll call: Tribal Chairman Frank Ettawageshik-yes, Vice-Chairperson Beatrice A. Law-yes, Secretary Dexter McNamara-yes, Treasurer Alice Yellowbank-yes, Councilor Rita Shananaquet-absent, Councilor Fred Harrington, Jr.-yes, Councilor Regina Gasco Bentley-yes

Motion Carried

Motion made by Vice-Chairperson Beatrice A. Law and supported by Treasurer Alice Yellowbank to authorize the Chairman to sign the Assistant General Counsel contract dated January 1, 2004 expiring December 31, 2008, or as otherwise provided per terms of the contract.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion Carried

Motion made by Councilor Fred Harrington, Jr., and supported by Councilor Regina Gasco Bentley to approve Enrollment List A- Eligible for Membership dated January 20, 2004.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained

Motion Carried

Motion made by Councilor Fred Harrington, Jr., and supported by Councilor Regina Gasco Bentley to approve Enrollment List B- Declination Ineligible dated January 20, 2004.

Vote: 6 Yes, 0 No, 1 Absent (Councilor Rita Shananaquet), 0 Abstained
Motion Carried

4:36 Councilor Rita Shananaquet returns

Motion made by Councilor Fred Harrington, Jr., and supported by Vice-Chairperson Beatrice A. Law to authorize the Tribal Council attendance at the Inaugural Native American Tribal Finance Conference, February 18-20th, 2004 Palm Springs, California and authorize travel, stipend and per diem for those attending.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained
Motion Carried

4:43 p.m. recess called

4:53 p.m. Meeting reconvened

4:55 p.m. Motion made by Vice-Chairperson Beatrice A. Law and supported by Secretary Dexter McNamara to go into Executive Session for Land Issue #1.

Vote: 6 Yes, 1 No (Councilor Fred Harrington, Jr.), 0 Absent, 0 Abstained
Motion Carried

5:35p.m Motion made by Councilor Fred Harrington, Jr., and supported by Councilor Regina Gasco Bentley to return to Open Session.

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained
Motion Carried

Motion made by Councilor Fred Harrington, Jr., and supported by Vice-Chairperson Beatrice A. Law to authorize the purchase of Land Parcel #1 for \$900,000 and authorize the Chairman and Tribal Treasurer to sign all documents necessary to complete the acquisition.

Vote: 6 Yes, 1 No (Councilor Rita Shananaquet), 0 Absent, 0 Abstained
Motion Carried

Motion made by Councilor Rita Shananaquet and supported by Councilor Fred Harrington, Jr., to adjourn at 5:37 p.m..

Vote: 7 Yes, 0 No, 0 Absent, 0 Abstained
Motion Carried

These Minutes have been read and approved as written:

Approved:

Dexter McNamara, Tribal Secretary

Date